

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:07-cr-00033-MR-WCM-1**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
)	
WESLEY TYRONE BOOKER,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Defendant's Motion to Seal First Step Act Motion [Doc. 673].

The Defendant moves the Court to seal his Motion for Reduced Sentence under the First Step Act of 2018 ("Motion for Reduced Sentence") [Doc. 673]. For grounds, counsel states that the Motion for Reduced Sentence includes sensitive and private case-specific information that is inappropriate for public access. [Id.].

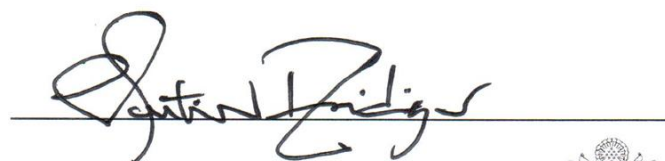
Before sealing a court document, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting

its decision to seal the documents and for rejecting the alternatives.” Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000). In the present case, the public has been provided with adequate notice and an opportunity to object to the Defendant’s motion. The Defendant filed his motion on October 23, 2020, and it has been accessible to the public through the Court’s electronic case filing system since that time. Further, the Defendant has demonstrated that the Motion for Reduced Sentence contains sensitive case information and that the public’s right of access to such information is substantially outweighed by the Defendant’s competing interest in protecting the details of such information. Finally, having considered less drastic alternatives to sealing the document, the Court concludes that sealing of the Motion for Reduced Sentence is necessary to protect the Defendant’s privacy interests.

IT IS, THEREFORE, ORDERED that the Defendant’s Motion to Seal First Step Act Motion [Doc. 673] is **GRANTED**, and the Defendant’s Motion for Reduced Sentence under the First Step Act of 2018 [Doc. 672] shall be filed under seal and shall remain under seal until further Order of the Court.

IT IS SO ORDERED.

Signed: November 11, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
Chief United States District Judge

